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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PAUL ANTHONY DIXON,

Petitioner,

- against -

UNITED STATES OF AMERICA,

Respondent.
-----X

ORDER

Case No. 07-CV-7180 (LBS)

Appearances:

For the Petitioner:

LEONARD F. JOY, ESQ.,
Attorney-in-Chief
Federal Defenders of New York, Inc.
52 Duane Street, 10th Floor
New York, New York 10007

For the Respondent:

MICHAEL J. GARCIA, ESQ.,
United States Attorney
Southern District of New York
By: JOHN T. ZACH, ESQ.,
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York

SAND, United States District Judge:

On March 18, 2008, the Court held a hearing to determine, pursuant to *Campusano v. United States*, 442 F.3d 770 (2d Cir. 2006), whether petitioner Paul Anthony Dixon had instructed his attorney to file an appeal following his sentence in the underlying criminal case entitled *United States v. Dixon*, 06 Cr. 426 (S.D.N.Y.). Sentence was imposed in the underlying criminal case on November 29, 2006, and the judgment of conviction was entered on December 1, 2006.

After considering testimony from Mr. Dixon, the Court finds that he did instruct his attorney to file an appeal. Accordingly, Dixon's petition pursuant to 28 U.S.C. § 2255 is granted: the judgment of conviction dated December 1, 2006, in 06 Cr. 426, is deemed entered as of the date of the filing of this Order. If Dixon wishes to

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appeal, he must duly file his notice of appeal within 10 days thereafter. See *Campusano*, 442 F.3d at 776-77.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Leonard B. Sand", written over a horizontal line.

LEONARD B. SAND

United States District Judge

New York, New York
March 3/29/ 2008